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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/560,264	12/09/2005	Young Chan No	128172.00003	3352
25555 JACKSON WALKER LLP 901 MAIN STREET SUITE 6000 DALLAS, TX 75202-3797	7590 10/08/2008		<div>EXAMINER</div> <div>MORAN, KATHERINE M</div>	
			<div>ART UNIT</div> <div>3765</div>	<div>PAPER NUMBER</div>
			<div>MAIL DATE</div> <div>10/08/2008</div>	<div>DELIVERY MODE</div> <div>PAPER</div>

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/560,264

**Applicant(s)**

NO, YOUNG CHAN

**Examiner**

KATHERINE MORAN

**Art Unit**

3765

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 June 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1, 2 and 4-11 is/are pending in the application.
- 4a) Of the above claim(s) 4, 5 and 7-11 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 2 and 6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 December 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/888)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date \_\_\_\_\_

**DETAILED ACTION**

***Response to Amendment***

Applicant's response of 6/6/08 has been received and reviewed. Applicant amended claim 1 and cancelled claim 3. Claims 1, 2, and 4-11 are pending, with claims 4, 5, and 7-11 withdrawn as non-elected.

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Fisher (U.S. 3,557,386). Fisher discloses the invention as claimed. Fisher teaches a multi-functional cap 10 including a crown portion 13 formed to cover the head and a visor (any of units 21) extended from a crown portion comprising an assistant visor (any other two of units 21) that is detachably coupled to an edge of the crown portion and an edge of the visor, the assistant visor comprises foldable visor units (portions of units 21 made from straw) and fixed units (portions of units 21 which are not folded) for fixing the assistant visor to the crown portion and visor. The visor units 21 of the assistant visor are overlapped (see Figure 4) so that they can be extended against a plurality of hardened plastic plates or hardened paper plates. The fixed unit 21 of the assistant visor comprises a visor pinchcock unit 24 that can be inserted into the edge of the visor and a crown pinchcock unit 23 that can be inserted into the edge of the crown portion.

***Response to Arguments***

3. Applicant's arguments with respect to claims 1, 2, and 6 are persuasive and Applicant's arguments, with respect to the Schoen-Wolski '458 reference have been fully considered and are persuasive. The previous rejections are withdrawn and a new grounds of rejection is presented above.

***Conclusion***

4. The Examiner may be reached at 571-272-4990 on Monday-Friday.

/KATHERINE MORAN/  
Primary Examiner, Art Unit 3765